

Appl No. 10/700,377
Response dated July 26, 2005
Reply to Office Action of April 28, 2005

REMARKS

This is a response to the Office Action dated April 28, 2005. A shortened statutory period was set to expire three months from the date of the Office Action, making a response due by July 28, 2005. There are presently 23 claims pending in the case and all claims stand rejected. This response is being submitted in order to place the case in condition for allowance.

In the Office Action, the Examiner rejected claims 1-23 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-23 of U.S. Patent No. 6,651,744. Applicant is submitting herewith a terminal disclaimer in compliance with 37 CFR 1.321(c) in order to overcome the provisional rejection based upon the non-statutory double patenting ground.

Having complied with the requirements of the Examiner, applicant requests re-examination of the application and a Notice of Allowance.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26 day of July, 2005.

ABruler

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